

HOUSE BILL No. 1190

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-4-2-12; IC 22-4-2-12.5.

Synopsis: Unemployment compensation. Establishes an alternative wage base period used to compute unemployment compensation benefits.

Effective: July 1, 2003.

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January 8, 2003, read first time and referred to Committee on Labor and Employment.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1190

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-4-2-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. **(a) Except as**
3 **provided in subsections (b) and (c), "base period" means the first four**
4 **(4) of the last five (5) completed calendar quarters immediately**
5 **preceding the first day of an individual's benefit period. ~~Provided,~~**
6 **However, ~~That~~ for a claim computed in accordance with IC ~~1971,~~**
7 **22-4-22, the base period shall be the base period as outlined in the**
8 **paying state's law.**
9 **(b) Effective July 1, 2003, "base period" also includes, in the case**
10 **of an individual who does not have sufficient wages in the base**
11 **period as set forth in subsection (a), the last four (4) completed**
12 **calendar quarters immediately preceding the first day of the**
13 **benefit year of the individual if the period qualifies the individual**
14 **for benefits under this chapter. Wages that fall within the base**
15 **period of claims established under this subsection are not available**
16 **for reuse in qualifying for a subsequent benefit year.**
17 **(c) In the case of a combined wage claim under an arrangement**



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1 approved by the United States Secretary of Labor, the base period
 2 is the period applicable under the unemployment compensation
 3 law of the paying state.

4 (d) The department shall adopt rules under IC 4-22-2 to obtain
 5 wage information if wage information for the most recent quarter
 6 of the base period as set forth under subsection (b) is not available
 7 to the department from regular quarterly reports of wage
 8 information that is systemically accessible.

9 SECTION 2. IC 22-4-2-12.5 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12.5. (a)
 11 Notwithstanding section 12 of this chapter, for an individual who
 12 during the "base period" as defined in that section has received
 13 worker's compensation benefits under IC 22-3-3 for a period of
 14 fifty-two (52) weeks or less, and as a result has not earned sufficient
 15 wage credits to meet the requirements of IC 22-4-14-5, "base period"
 16 means the first four (4) of the last five (5) completed calendar quarters
 17 immediately preceding the last day that the individual was able to
 18 work, as a result of the individual's injury.

19 (b) The provisions of section 12(b), 12(c), and 12(d) of this
 20 chapter apply to this section beginning July 1, 2003.

21 SECTION 3. [EFFECTIVE JULY 1, 2003] (a) Notwithstanding
 22 IC 22-4-2-12, as amended by this act, the department of workforce
 23 development shall carry out the duties imposed upon it under
 24 IC 22-4-2-12 under interim written guidelines approved by the
 25 commissioner of the department of workforce development.

26 (b) This SECTION expires on the earlier of the following:

27 (1) The date rules are adopted under IC 22-4-2-12, as
 28 amended by this act.

29 (2) December 31, 2004.

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